IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 4216 of 2004
ASHISH JARIWAL
V/S
UNIVERSITY OF BIKANER & ANR.

Mr. KULDEEP MATHUR, for the appellant / petitioner

Date of Order : 28.9.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

It is not in dispute that consequent upon the result of revaluation of first year examination, the petitioner was allowed to appear in supplementary examination in one paper way back in Feb.2004. Since by that time, regular supplementary examination had already been over, the petitioner was allowed to appear in that paper along with examination of IInd year, wherein the petitioner appeared without raising any sort of objection.

It is, thereafter when the result of second year examinations was declared , the result of supplementary examination of petitioner, of one paper of first year was also declared, and therein he failed. The obvious natural consequence is that, the petitioner cannot be said to have passed first year examination.

In such circumstances, the grievance of the petitioner cannot be entertained to the effect that the petitioner should not have been directed to appear for supplementary examination of one paper of first year along with regular examination of second year, as on account of that only, he had failed; So also the petitioner cannot be allowed, now to make request to direct the University to allow the petitioner to appear in that one paper of first year, over again, and in the event of his passing, to take advantage of his having secured marks in second year examinations.

The writ petition thus has no force, is hereby dismissed summarily.

(N P GUPTA),J.

/Srawat/